

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DANIEL DE JESUS LOPEZ,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

CASE NO. C20-1341-RSM-BAT

**ORDER DENYING MOTION TO  
APPOINT COUNSEL**

Currently before the Court is Petitioner's motion to appoint counsel. Dkt. 2. There is no constitutional right to appointment of counsel in § 2241 habeas actions; however, the Court may exercise its discretion to appoint counsel for a financially eligible individual where the "interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B). "In deciding whether to appoint counsel in a habeas proceeding, the district court must evaluate the likelihood of success on the merits as well as the ability of the petitioner to articulate his claims pro se in light of the complexity of the legal issues involved." *Weygardt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Having carefully reviewed the record and considered both factors, the Court concludes that the interests of justice do not require the appointment of counsel in this case. Accordingly, Petitioner's motion to appoint counsel, Dkt. 2, is DENIED.

1 The Clerk is directed to send copies of this order to the parties and to the assigned  
2 District Judge.

3 DATED this 13th day of October, 2020.

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6 BRIAN A. TSUCHIDA  
7 Chief United States Magistrate Judge  
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